

# MICHIGAN PUBLIC SERVICE COMMISSION

## FORMAL TELECOMMUNICATIONS COMPLAINT

*General complaint form for residential,  
commercial, institutional and non-profit agency customers*

### **I Want to File a Complaint**

Try to resolve your complaint directly with the company in question. The company's customer service number should be listed on your bill. Keep track of your calls to the company, including the date, time, length of call, who you spoke to, and what happened.

If you are unable to resolve the complaint directly with the company, you can seek assistance from the Public Service Commission, per section 203 of the Michigan Telecommunications Act, Public Act 179 of 1991 as amended (MTA). The Commission can provide guidance and assistance in resolving your complaint.

### **How to Contact the Public Service Commission**

**Phone:** 1-800-292-9555 (in Michigan)  
(517)241-6180 (outside of Michigan)

**Email:** [www.michigan.gov/mpsc](http://www.michigan.gov/mpsc)

**Mailing Address:** P.O. Box 30221  
Lansing, MI 48908

**Fax:** (517)241-6272

### **Formal Complaint Process**

If you are still unable to resolve your complaint, you may file a formal complaint with the Public Service Commission, for violation of the MTA or a rule. A copy of the statute is included in this package. Even if a formal hearing is scheduled, both you and the telephone company can still choose to negotiate a settlement rather than go to a formal hearing. If you and the Company do agree to settle, you must notify the Commission as soon as possible in writing that you no longer want to pursue your complaint.

**ATTENTION:** If the customer is a business or an organization that is ***incorporated or a partnership***, it ***must*** be represented by an attorney at the formal hearing before the Commission, with certain exceptions, such as cramming and slamming complaints. If not, you can represent yourself in a formal hearing or hire an attorney to assist you.

If your complaint involves \$1,000 or less, you and the other party must attempt to settle or mediate your dispute. If after 45 days of the filing of your complaint, an agreement cannot be reached, then your dispute may go to a formal hearing. The Commission Staff can help you discuss your issues with the service provider(s) in question.

If you file a formal complaint, the Commission will follow the hearing process, described in the "Rules of Practice and Procedure before the Commission."

**NOTE:** The Commission's authority is limited to that granted by statute. The Commission does not have authority over every telecommunications service and provider. In general, the Commission regulates basic local telephone service. The following services are outside the Commission's authority.

- Answering services
- Cable TV
- Cellular / wireless companies
- Dial up services
- Energy management systems
- Financial service networks
- Internet / DSL services
- Municipally owned telecommunications networks
- Pagers, paging services
- Pay per view services
- Payphones services
- Personal communications networks
- Private networks
- Radio and television
- Reselling unlicensed telecommunications services
- Retail broadband services
- Shared tenant services
- Toll free telephone services
- Security and fire alarm systems
- Video
- Voiceover Internet Protocol (VoIP)
- Wide Area Telephone Service

### **What to Expect**

After you file a formal complaint, an attorney from the Commission will review the complaint and any attachments to determine whether it states facts that would permit the Commission to grant the requested relief and complies with all requirements. If your complaint is approved to proceed to a hearing (referred to as "prima facie"), the Commission will mail you a notice with the time and date of your formal hearing. If the complaint is not "prima facie", a letter of explanation will be mailed to you and no hearing will be scheduled.

For prima facie complaints, the hearing will be held at the Commission's offices in Lansing, before an administrative law judge (ALJ). The formal hearing is similar to a court hearing, but not as strict. A court reporter will record what is said. The ALJ will consider the testimony and evidence presented. You have the burden to prove the merits of your complaint. The ALJ will make a decision, based upon the evidence presented. If you do not agree with ALJ's determination, you may object by filing exceptions. Thereafter, the Commission will review the evidence and arguments and make a decision.

**You have the job of presenting the evidence to support your complaint and your requested relief. Remember -- All documentation that you intend to rely upon at the hearing must be filed with the complaint.**

Also, you and the telephone company can choose to negotiate a settlement for your complaint so that you do not have to go to the hearing.

For details on the formal complaint process and hearing, see the attachment, entitled "Guide To The Formal Complaint Process".

### **Filling Out the Formal Complaint Form**

Describe your complaint. State what unlawful or unreasonable acts or failure to act occurred. This can be a simple chronology or a list of events and your contacts with the telephone company in question. State what rule or statute you believe was violated.

State the relief, compensation and/or resolution you are requesting. Please be specific. The Commission may require restitution from the Company for economic damages (lost income or extra expenses) that result from the violation. The Commission does not have the authority to award compensation for pain and suffering, inconvenience, or irritation.

Provide details on your complaint and the requested relief or resolution in the space provided.

Attach documents, photos, letters, notices and other materials, to support your case. Include additional sheets if necessary. Anything you intend to use at the formal hearing must be included in your complaint.

Sign and date your formal complaint form. Please make **7 copies** for submission to the Commission and return this form (with the 7 copies) to:

***Michigan Public Service Commission  
Executive Secretary  
6545 Mercantile Way  
Lansing, MI 48910***

NOTE: For your further information, copies of the following documents can be downloaded from the MPSC website. To access them, go to ***michigan.gov/mpsc***, then click on ***Telecommunications button*** on the left hand side of the screen and then click on ***“Statutes, Rules and Standards”*** on the right hand of the screen.

***The Michigan Telecommunications Act (MTA)***

***Rules of Practice and Procedure Before The Commission***

***Telecommunications Service Quality Rules***

***Billing Standards for Basic Residential Telecommunication Service***

***Slamming Rules***

**STATE OF MICHIGAN**  
**Michigan Public Service Commission**  
**6545 Mercantile Way -- P.O. Box 30221**  
**Lansing, Michigan 48909**

In the matter of the complaint of \_\_\_\_\_

Case Number: \_\_\_\_\_  
**(Leave Blank)**

**(Complaining customer's name)**

against \_\_\_\_\_  
**(Company name)**

**FORMAL COMPLAINT**

I, \_\_\_\_\_  
**(State your name and if a business or organization, state your position)**

brings this Formal Complaint against:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**(State the Company Name, Street Address, City, State, Zip Code)**

for violation of the Michigan Telecommunications Act. I request that a contested case be conducted against this party, including a hearing before an administrative law judge.

The telephone number(s) involved in this complaint (include the area code):

(     ) \_\_\_\_\_ (     ) \_\_\_\_\_  
(     ) \_\_\_\_\_ (     ) \_\_\_\_\_

This complaint involves my (check off those applicable):

- ☐ Local Service                      ☐ Local Long Distance                      ☐ Long Distance  
☐ Other, please specify: \_\_\_\_\_

I have spent \_\_\_\_\_ hours of my own time, in an effort to correct this matter

[illegible]

## REQUESTED RELIEF

Please state what you want the Commission to do. What do you want to happen and/or to receive from the Company, as a result of this complaint. This information can be typed or neatly handwritten.

[illegible]

I also seek relief in accordance with section 601(a)(b)(c)(d)(e)(f) of the Michigan Telecommunications Act, MCL 484.2601, including, but not limited to reimbursement for my total economic loss of \$\_\_\_\_\_ .

I also seek the imposition of fines against the Company, as provided in Section 601 (a), the person to pay a fine for the first offense of not less than \$1,000.00 nor more than \$20,000.00 per day that the person is in violation of this act, and for each subsequent offense, a fine of not less than \$2,000.00 nor more than \$40,000.00 per day; (b) if the provider has less than 250,000 access lines, the provider to pay a fine for the first offense of not less than \$200.00 or more than \$500.00 per day that the provider is in violation of this act, and for each subsequent offense a fine of not less than \$500.00 or more than \$1,000.00 per day; (c) a refund to the ratepayers of the provider of any collected excessive rates; and (d) if the person is a licensee under this act, that the person's license be revoked; (e) and the entry of a Cease and Desist Order; and (f) Except for an arbitration case under 252 of part II of title II of the communications act of 1934, chapter 622, 110 Stat. 66, attorney fees and actual costs of a person or provider of less than 250,000 end-users.

I attest that the facts stated in this complaint are true to the best of my knowledge.

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**Your Signature**

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**Date**

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**Address**

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**City****State****Zip**

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**Day Time Phone number**

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**Fax Number**

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**E-mail address**

**NOTE:** You must attach to this complaint copies of all documents or other evidence that you intend to rely upon at hearing. Failure to do so will subject your complaint to delay or dismissal. See, MCL 484.2203(7).